

## Joe D. Whitley



Shareholder

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Joe D. Whitley chairs the Firm's Government Enforcement and Investigations Group. He represents clients nationally and internationally in white collar criminal matters and regulatory enforcement, corporate internal investigations, Foreign Corrupt Practices Act (FCPA) and U.S. export controls and compliance. He also advises clients on corporate compliance, health care fraud and FDA-related matters.

Joe has had a wide-ranging career in the Department of Justice. During the Ronald Reagan and George H.W. Bush administrations, Joe served as the Acting Associate Attorney General, the third-ranking position at Main Justice in the Department of Justice. He was appointed by Presidents Reagan and Bush, respectively, to serve as the United States Attorney in the Middle (Macon) and Northern (Atlanta) Federal Districts of Georgia. Throughout his career, Joe served under five United States Attorneys General and four Presidents in a number of key operational and policy positions. Earlier in his career, he served as an Assistant District Attorney in the Chattahoochee Judicial Circuit in Columbus, Georgia.

In 2003, Joe was appointed by President George W. Bush as the first General Counsel of the United States Department of Homeland Security (DHS), the highest ranking legal official in DHS. He held that position for two years working for Secretary Tom Ridge and Secretary Michael Chertoff, before his departure and return to private practice. Joe continues to have a Homeland Security practice and he has chaired the ABA's Administrative Law & Regulatory Practice Homeland Security Law Institute for the last nine years.



Administrative / Regulatory Law—Atlanta



2016



Corporate defense and representation of clients in complex civil and criminal enforcement matters brought by the Department of Justice, other federal agencies, State Attorneys General and local prosecutors are the focus of Joe Whitley's practice. Joe has represented numerous individuals and corporations in major government investigations throughout the United States and internationally. He is a frequent speaker and lecturer on white collar, compliance and corporate governance issues.

## Representative Matters

### White Collar Defense

- Represented numerous clients regarding bid rigging and kickback investigation by the Department of Justice.
- Defended U.S. publicly traded chemical company in a major environmental criminal investigation convincing the government that no criminal charges should be filed against the company.
- Served as primary outside counsel for Homeland Security advice for major chemical company.
- Representation of health care providers, hospitals, pharmaceutical companies/labs, etc. in qui tam Civil False Claims Act (FCA) investigations.
- Representation of Urocor in FCA case – U.S. ex rel. Worner v. Urocor, Inc.
- Represented public school system in an internal investigation of land purchase practices.
- Defended metal manufacturer against alleged violations of The Resource Conservation Recovery Act (RCRA).
- Defended municipal waste water utility in Clean Water Act (CWA) investigation.
- Defended Middle East-based company regarding alleged criminal and civil wrongdoing regarding U.S. government procurement.
- Defended former NBA athlete in a grand jury investigation and criminal RICO matter regarding allegations of money laundering.
- Represented corporate employees in a FCPA investigation.
- Representation of corporate employee in a criminal antitrust market allocation conspiracy investigation.
- Represented major food manufacturer regarding FDA violations in an FDA and DOJ criminal investigation of salmonella poisoning.
- Represented several individuals in Presidential pardon matters.
- Represented client in a grand jury investigation handled by the Antitrust Division of DOJ regarding the antitrust and FCPA conduct of one of the world's leading tire and rubber companies.
- Defended chiropractor in criminal investigation of billing practices to Medicare and Medicaid.
- Represented major insurance carrier in criminal grand jury investigation of commissions reporting practices and disclosure to customers.
- Represented City of Boulder, Colorado – Wolf v. Ramsey
- Assisted one of the most renowned suppliers of corporate eLearning and eTraining content within German-speaking countries with Web-based training support on FCPA.
- Following Hurricane Katrina, represented a major university in business continuity issues and coordination with FEMA to insure full recovery.
- Advised poultry company targeted in an ICE raid for immigration violations.
- Worked with a number of public companies to structure and conduct internal investigations.

### Homeland Security Experience

- General Counsel for the Department of Homeland Security (DHS), and responsible for providing legal advice to more than 180,000 employees of the Department.
- Responsible for directing the creation of a single legal department from the legal departments of the 22 agencies that were combined in the formation of DHS.
- Responsible for supervision of a total of 1,800 plus lawyers in agencies, directorates and offices, including attorneys in the following components, as these components were configured in 2006, of DHS:
  - U.S. Secret Service (USSS);
  - U.S. Coast Guard (USCG);
  - Transportation Security Administration (TSA);
  - U.S. Citizenship and Immigration Services (CIS);
  - U.S. Customs and Border Protection (CBP);
  - Federal Emergency Management Agency (FEMA);
  - Federal Law Enforcement Training Center (FLETC);
  - U.S. Immigration and Customs Enforcement (ICE);
  - The Directorates for Border and Transportation Security;
  - Information Analysis and Infrastructure Protection (IAIP);
  - Emergency Preparedness and Response and Science and Technology (PRST); and
  - The Offices for Privacy, Civil Rights and Civil Liberties.

- Responsible for a budget in excess of \$10 million in the front office of General Counsel.
- Provided legal assistance to Secretary Tom Ridge and Secretary Michael Chertoff on key legal issues, such as:
  - Worked closely with General Counsel counterparts throughout the federal government at the White House, Departments of Justice; State, Treasury, Defense and other agencies to include the coordination of counterterrorism and federal law enforcement initiatives;
  - Responsible for responding to frequent Congressional inquiries, and the timely proposal and adoption of hundreds of regulations;
  - Provided guidance and input to staff attorneys representing the department in litigation on a variety of matters; and
  - Worked closely with the Office of the Inspector General in conducting reviews of various department programs and responding to issues raised by those reviews.

#### Private Sector Homeland Security Experience

- Provides counsel to major corporations on public policy and legislative issues, such as:
  - Chemical Facility Anti-Terrorism Standards (CFATS) implementation;
  - SAFETY Act applications for certification and designation by DHS;
  - Disaster recovery and forward-looking mitigation strategies;
  - Cyber-security and critical infrastructure protection;
  - Immigration compliance;
  - Customs and trade compliance;
  - Laws and regulations affecting all segments of the transportation industry; and
  - Vulnerability assessments for members of the energy sector to include the broad spectrum of environmental regulations.
- Assisted in Homeland Security consultation and internal investigations for major U.S. defense contracting company.
- Assist companies with government procurement and contracting issues with DHS.

#### Prosecution Experience

- Assistant District Attorney
- U.S. Attorney for the Northern District of Georgia
- U.S. Attorney for the Middle District of Georgia
- Deputy Assistant Attorney General Criminal Division
- Principal Deputy Associate Attorney General
- Acting Associate Attorney General

#### Publications & Speaking Engagements

- Speaker, "Nuts & Bolts of Criminal Practice," Georgia ICLE Criminal Practice Seminar, February 26, 2016
- Co-author, "Creating Value in FCPA Investigations Through Increasing Cooperation Credit," FCPA Report, January 13, 2016
- Featured, "Attorney of the Month ([http://www.bakerdonelson.com/files/Uploads/Documents/AAL\\_ATL\\_VOL-4-NO-3\\_JW\\_LR.pdf](http://www.bakerdonelson.com/files/Uploads/Documents/AAL_ATL_VOL-4-NO-3_JW_LR.pdf))," Attorney at Law Magazine, Metro Atlanta edition, Volume 4, Issue 3
- Guest Commentary, "WLF Overcriminalization Timeline: Deferred-Prosecution and Non-Prosecution Agreements (<http://wfllegalpulse.com/2015/11/18/wlf-overcriminalization-timeline-deferred-prosecution-and-non-prosecution-agreements/>)," Washington Legal Foundation, November 18, 2015
- Panelist, "Plenary Session II – Cybersecurity," CJS International White Collar Crime Institute hosted by the American Bar Association Criminal Justice Section, London, United Kingdom, October 12–13, 2015
- Panelist, "Foreign Corrupt Practices Act (FCPA): Doing Business Internationally," 10th Annual ABA Homeland Security Law Institute, August 27 – 28, 2015
- Moderator, "Cybersecurity: A U.S. and Israeli National Security Perspective," Securing Your Future: Staying Ahead of Developments in Cybersecurity and its Impact on Technology, Advanced Manufacturing, Logistics, Health Care and Energy (<http://www.bakerdonelsonglobalinitiatives.com/securing-your-future/>), Atlanta, Georgia, August 20-21, 2015
- Co-author, "Lessons for General Counsel from Recent Cyberattack on the U.S. Office of Personnel Management ([/files/Uploads/Documents/WhitleyDailyReport.pdf](http://www.bakerdonelson.com/files/Uploads/Documents/WhitleyDailyReport.pdf))," Daily Report, August 4, 2015
- Co-chair and Speaker, American Bar Association (ABA) Regional Southeastern White Collar Crime Institute, Atlanta, Georgia, 2014
- Co-chair and Speaker, Georgia Bar ICLE Foreign Corrupt Practices Act (FCPA) Seminar, Atlanta, Georgia, 2010 – 2013
- Co-chair and Speaker, Georgia Bar ICLE Annual Southeastern Health Care Fraud Institute, Atlanta, Georgia, 2003 – present
- Chair and Speaker, ABA Administrative Law and Regulatory Practice Section Annual Homeland Security Law Institute (<http://www.c-span.org/search/?sponsorid%5b%5d=12451>) (HSLI), Washington, D.C., 2005 – present
- Speaker, ABA White Collar Crime Institute, 1999 – present

- Speaker, ABA Health Care Fraud Institute, 2005 – present
- Speaker, Georgia Bar ICLE Annual White Collar Crime Institute, 2005 – present
- Speaker, "Inside the Effective Management of an FCPA Internal Investigation: How to Plan the Investigative Protocol, Data Management, and Technology Infrastructure to Support Your Investigation," American Conference Institute (ACI) 30th International Conference on the FCPA, Washington, D.C., November 2013
- Speaker, "The Globalization of Enforcement Actions and International Investigations," 2nd Annual International White Collar Crime, London, UK, October 2013
- Speaker, "Navigating Corporate Internal Investigations," American Corporate Counsel (ACC) Meeting, October 2013 Speaker, "You've Discovered and Investigated an FCPA Violation, Now What? Determining your Threshold for Voluntarily Disclosing and What to Do When Corruption Allegations Become Public Post – Disclosure," ACI FCPA Boot Camp, San Francisco, California, October 2013
- Speaker, "Is There a Pathway to Citizenship?: Surveying the Current Status of Federal and State Immigration Reform," Georgia Lawyer Chapter of the American Constitution Society, September 2013
- Speaker, "Trends in FCPA and Anti-Bribery Enforcement," ABA 8th Annual Homeland Security Law Institute, Washington, D.C., June 2013
- Speaker, "Export Controls," GA ICLE FCPA Seminar, June 2013
- Speaker, "Trial Practice Demonstration – U.S. v. Patel (W.D. La.)," American Bar Association's 23rd Annual National Institute on Health Care Fraud, Miami, Florida, May 2013
- Quoted "The Morning Risk Report: Drop in FCPA Independent Monitors Continues in 2013," The Wall Street Journal, July 2, 2013
- Quoted, "Likely FBI Nominee to Face NSA Debate," The Wall Street Journal, June 9, 2013
- Speaker, "Federal Agents are in the Lobby: Preparing for & Responding to the Search of a Corporate Client," Georgia Bar ICLE White Collar Crime Institute, March 2013
- Speaker, "Government Enforcement – Federal and State Health Care Fraud Initiatives," Georgia Bar ICLE Health Care Fraud Institute, Atlanta, Georgia, December 2012
- Speaker, "Trial Practice Demonstration – State of Texas v. Khaled Jabboury," American Bar Association, 22nd Annual National Institute on Health Care Fraud, 2012
- Co-chair and Speaker, Georgia Bar ICLE Corporate Internal Investigations Seminar, Atlanta, Georgia, 2012  
Mentioned, "Judge Approves New Scheduling Order in Expedia Case," Ledger-Enquirer, February 21, 2012
- Speaker, "The Foreign Corrupt Practices Act: Defending the FCPA Case," Georgia Bar ICLE White Collar Crime Institute, 2012
- Speaker, "In-House Counsel in the Crosshairs? Personal Liability for Corporate Violations," Institute for Continuing Legal Education in Georgia, Corporate Counsel Institute, Atlanta, Georgia, December 9, 2011
- Speaker, "Careers in National Security," ABA Administrative Law & Regulatory Practice Section Brown Bag Conference & Webinar, Washington, D.C., October 7, 2011
- Co-author, "Homeland Security and Domestic Intelligence: Legal Considerations," The U.S. Intelligence Community Law Sourcebook, 2011 Edition, American Bar Association, August 2011
- Speaker, "Trial Practice Demonstration – U.S. v. Fallah, et al (S.D. Texas)," The 21st Annual ABA National Institute on Health Care Fraud, Miami Beach, Florida, May 2011
- Speaker, "Economic Sanctions and Export Controls" American Bar Association, 25th Annual National Institute on White Collar Crime, San Diego, California, March 2011
- Speaker, "Global Legal and Regulatory Issues Series - Bribery, Corrupt Practices and Money Laundering," March 2010
- Keynote Speaker, "Protecting America: One Day at a Time," Suzette Talarico Lecture at the University of Georgia, February 2010
- Speaker, "Global Settlements," ABA White Collar Crime Institute, 2010
- Quoted, "Former U.S. Attorney Discusses Foreign Corrupt Practices Act," GlobalAtlanta, August 2010
- Co-author, "Global Settlements, Indictments and Trials in FCPA Cases: Increasing Protection of Individual," February 2010
- Keynote Speaker, Daughters of American Revolution/United Daughters of the Confederacy (DAR/UDC) Program, 2009
- Editor, Homeland Security Desk Book, LexisNexis Matthew Bender, 2009
- Co-editor, Homeland Security: Legal and Policy Issues, ABA Administrative Law and Regulatory Practice Section, 2009
- Co-author, "Congress Enacts CFIUS Reform Legislation," ABA Administrative and Regulatory Law News, Spring 2008
- Co-author, "A New Standard for Security Regulation the Final Rule on Chemical Facility Anti-Terrorism Standards," ABA Trends, January/February 2008
- Author, "Recent Developments in Critical Infrastructure Protection," The Real Estate Finance Journal, 2007
- Author, "Homeland Security, Law, and Policy through the Lens of Critical Infrastructure and Key Asset Protection," Jurimetrics Journal, Spring 2007
- Author, "Chemical Security: Recent Regulation and the Impact on the Private Sector," New Jersey Law Journal, 2007
- Author, "Critical Infrastructure," ABA Homeland Security and National Defense Newsletter, 2007
- Author, "Department of Homeland Security: Looking at the DHS Law Enforcement Team and Initiatives," 2007
- Speaker, "Homeland Security: A View from Across the Pond," Homeland Security Conference, Queen Elizabeth II Conference Center, London, England, 2007
- Speaker, "Ethical Issues Related to Data Collection at the Department of Homeland Security," International Intelligence Ethics Association, January 2007
- Editor, Homeland Security Chapter, ABA Administrative Law and Regulatory Practice Section, Developments in Administrative Law and Regulatory Practice, since 2007
- Speaker, "Avoiding Criminal Charges," ABA Securities Fraud Conference, September 2006

- Keynote Speaker, "The U.S. Department of Homeland Security - Meeting and Managing the Threats of Today and Tomorrow, Homeland Security Summit," September 2006
- Speaker, "Department of Homeland Security: Looking at the DHS Law Enforcement Team and Initiatives," ABA White Collar Crime Conference, March 2006
- Author, "The SAFETY Act: A Vital Tool in the Fight Against Terrorism," Contemporary Legal Notes, 2006
- Author, "The Patriot Act: Myths, Misperceptions and Malapropisms," The Advocate, 2005
- Remarks of General Counsel Joe Whitley to the National College of District Attorneys, 2003

#### Professional Honors & Activities

- Member, American Bar Association
  - Immediate Past President, Administrative Law and Regulatory Practice Section, 2014 – 2015
    - Chairman, Nominating Committee, 2015 – present
    - Liaison to Standing Committee on Law and National Security, 2015 – 2016
    - Chair, 2013 – 2014
    - Chair-Elect, 2012 – 2013
    - Vice Chair, 2011 – 2012
  - Chair, Fundraising Committee
  - Co-chairman, Homeland Security and National Defense Committee
  - Council Member
  - Member, Board of Governors Cybersecurity Legal Task Force
  - Member, Criminal Justice Section
    - Committee on International Criminal Law
    - Sentencing Committee
    - Former Council Member
  - Frequent Speaker, Sponsored Events
  - Member, Litigation Section, Antitrust Litigation Committee
- After tenure at the Department of Homeland Security, founded and co-chaired the annual Homeland Security Law Institute, sponsored by the ABA Administrative Law and Regulatory Practice Section; Currently serves as chair of the Institute
- Listed in The Best Lawyers in America in Administrative/Regulatory Law since 2001 and in White Collar Criminal Defense, 2013 – 2015
  - "Top 100 Lawyers in Georgia" since 2011
- Named the Best Lawyers' 2016 Atlanta Administrative/Regulatory Law "Lawyer of the Year"
- Listed in Chambers USA: America's Leading Business Lawyers since 2013
- Listed in Washington DC & Baltimore's Legal Leader, "Top Rated Lawyers," 2013
- Listed in Washington, D.C. Super Lawyers since 2012
- Listed in Georgia Super Lawyers since 2010
- Listed among the top 100 lawyers in Georgia by Georgia Super Lawyers, 2015, 2016
- Listed in Georgia Trend magazine "Legal Elite" since 2008
- Member of interdisciplinary group charged with making recommendations to the Department of Homeland Security (DHS) regarding the use of geospatial information, Final report submitted to DHS, Fall 2005
- AV® Preeminent™ Peer Review Rated by Martindale-Hubbell
- Co-chair, advisory board for the Judge Alfred P. Murrah Center for Homeland Security Law and Policy, Oklahoma City University School of Law
- Adjunct Professor, George Washington University Law School (GW), Homeland Security Law, 2006
- Adjunct Professor, American University (AU), Washington College of Law, Homeland Security Law, 2005
- Board Member, Federal Bar Association, Atlanta Chapter, Advisory Board
- Member, Georgia State Bar Association
- Member, District of Columbia Bar Association
- Member, Federal Bar Association
- Member, National Association of Former U.S. Attorneys (NAFUSA)
- Member, Federalist Society, International & National Security Law Practice Group, Executive Committee

- Recipient, Volunteer of the Year, Administrative Law and Regulatory Practice Section Admissions
- Hon. Deputy Chief, Atlanta Police Department (APD)
- Board Member, Atlanta Police Foundation (APF), Board of Directors
- Elected, The Fellow of the American Bar Foundation (ABF)
- Former Board Member, National Association of Former United States Attorneys (NAFUSA)
- Co-chair of the Advisory Board, Judge Alfred P. Murrah Center for Homeland Security Law and Policy at Oklahoma City University School of Law
- Chosen by the U.S. Court of Appeals for the District of Columbia Circuit to serve as Chief Counsel to the Judicial Committee to investigate whether cases in the U.S. District Court for the District of Columbia were assigned improperly
- Served as a member of the U.S. Census Monitoring Board that was responsible for structuring the 2000 U.S. Census. The issue was ultimately resolved by the U.S. Supreme Court, which accepted the approach recommended by the Board
- Member of the team chosen to assist the Enron Corporation Examiner during bankruptcy proceedings and coordinate all criminal aspects of the case with the U.S. Department of Justice and other law enforcement agencies
- Former Member, Dow Chemical, Independent Advisory Panel to the Board
- Participated in a special purpose advisory committee to review a number of issues related to homeland security and chemical plant security
- Board of Visitors Advisory Board Member, University of Georgia School of Public and International Affairs (SPIA)
- Board Member, Washington Legal Foundation (WLF), Legal Policy Advisory Board

#### Admissions

- District of Columbia
- Georgia
- U.S. District Court for the District of Columbia
- U.S. District Court for the Middle and Northern Districts of Georgia
- U.S. Court of Appeals for the Tenth Circuit Court of Appeals
- U.S. Court of Appeals for the Eleventh Circuit Court of Appeals
- District of Columbia Court of Appeals
- District of Columbia Superior Court
- Supreme Court of the United States
- U.S. Court of Appeals for the Armed Forces Court of Appeals
- U.S. Court of Appeals for the District of Columbia Circuit Court of Appeals

#### Education

- University of Georgia School of Law, J.D.
- University of Georgia, B.A.

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## Hon. Joe D. Whitley

Shareholder, Greenberg Traurig LLP

In 2003, Joe was appointed by the President as the first General Counsel of the United States Department of Homeland Security (DHS), the highest ranking legal official in DHS. He held that position for two years before his departure and return to private practice. Joe has represented numerous individuals and corporations in major government investigations throughout the United States and internationally. He is a frequent speaker and lecturer on white-collar, compliance, and corporate government issues.

### Professional Experience

- General Counsel, Department of Homeland Security
  - Advised Secretary Tom Ridge and Secretary Michael Chertoff on key legal issues, including: immigration, customs enforcement, environmental compliance, internal agreements, Committee on Foreign Investment in the United States (CFIUS), complex civil litigation, the Support Anti-terrorism by Fostering Effective Technologies (SAFETY) Act, transportation security, labor and employment, government contracts, incident management, public health, infrastructure protection and intelligence sharing. He worked closely with his General Counsel counterparts at the White House, Departments of Justice, State, Treasury, Defense and other agencies to coordinate counterterrorism and federal law enforcement initiatives.
  - Oversaw approximately 1,500 lawyers and 400 support staff from numerous agencies, directorates and offices, including: the U.S. Secret Service, U.S. Coast Guard, the Transportation Security Administration, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, Federal Emergency Management Agency (FEMA), Federal Law Enforcement Training Center, U.S. Immigration and Customs Enforcement; the Directorates for Border and Transportation Security, Information Analysis and Infrastructure Protection, Emergency Preparedness and Response (including FEMA) and Science and Technology; and the Offices for Privacy, Civil Rights and Civil Liberties and Security.

**Education**

J.D., University of Georgia School of Law

B.A., University of Georgia

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Joe D. Whitley

[Baker, Donelson, Bearman, Caldwell & Berkowitz, PC \(/firms/baker-donelson-bearman-caldwell-berkowitz-pc/7409/US/\)](#)

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Phone: 404-223-2209

[Website for Joe D. Whitley \(http://www.bakerdonelson.com/joe-d-whitley\)](#)

Joe D. Whitley chairs the Atlanta White Collar Criminal Defense Practice. He represents clients nationally and internationally in a variety of matters, including white collar criminal matters and regulatory enforcement, corporate internal investigations, and Foreign Corrupt Practices Act (FCPA) and U.S. export controls and compliance as well as corporate compliance, health care fraud and FDA-related matters.

Joe has had a wide-ranging career in the Department of Justice. In the George H.W. Bush administration, Joe served as the Acting Associate Attorney General, the third-ranking position at Main Justice in the Department of Justice. He was appointed by Presidents Reagan and Bush, respectively, to serve as the United States Attorney in the Middle (Macon) and Northern (Atlanta) Federal Districts of Georgia. Throughout his career, Joe served under five United States Attorneys General and four Presidents in a number of key operational and policy positions. Earlier in his career, he served as an Assistant District Attorney in the Chattahoochee Judicial Circuit in Columbus, Georgia.

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Education	Bar Admissions	Affiliations	Awards
University of Georgia BA — 1972 University of Georgia School of J.D. — 1975			

## Case History

### Other Court Admissions —

- District of Columbia Court of Appeals
- District of Columbia Superior Court
- Supreme Court of the United States
- U.S. Court of Appeals for the Armed Forces
- U.S. Court of Appeals for the District of Columbia Circuit
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. Court of Appeals for the Tenth Circuit
- U.S. District Court for the District of Columbia
- U.S. District Court for the Middle District of Georgia
- U.S. District Court for the Northern District of Georgia

### Areas of Concentration —

- White collar criminal defense
- Internal investigations
- Foreign Corrupt Practices Act (FCPA)
- Health care fraud
- Securities fraud
- Environmental crime
- Criminal antitrust
- Financial institution fraud
- Public corruption and campaign finance
- Commercial bribery
- Defense procurement fraud
- Bankruptcy fraud
- Computer and Internet fraud
- Criminal tax
- Regulatory enforcement matters
- Export control matters

Export control matters

Defense and homeland security

Legislation and public policy

#### White Collar Defense —

Representation of numerous clients regarding bid rigging and kickback investigation by the Department of Justice.

Representation of U.S. publicly traded chemical company in a major environmental criminal investigation convincing the government that no criminal charges should be filed against the company.

Served as primary outside counsel for Homeland Security advice for major chemical company.

Representation of health care providers, hospitals, pharmaceutical companies/labs, etc. in qui tam Civil False Claims Act (FCA) investigations.

Representation of Urocor in False Claims Act (FCA) case - U.S. ex rel. Worner v. Urocor, Inc., 15 No. 3 Andrews Gov't Cont. Litig. Rep. 12 Andrews Government Contract Litigation Reporter, August 2, 2001.

Representation of public school system in an internal investigation of land purchase practices.

Representation of metal manufacturer for alleged violations of The Resource Conservation Recovery Act (RCRA).

Representation of municipal waste water utility in Clean Water Act (CWA) investigation.

Representation of Middle Eastern-based company regarding alleged criminal and civil wrongdoing regarding U.S. government procurement.

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## Client Comments

"Greenberg Traurig and Joe Whitley are an unparalleled pair. Joe's experience, coupled with the resources and other members of Greenberg Traurig to draw from, gives my firm an advantage that cannot be overcome by our competitors."

-Michael W. Olvey  
The Sam Group, LLC

"Mr. Joe Whitley has an outstanding staff and provides truly outstanding service. He is highly professional, prompt, and pleasant. What more could you ask for!"

-Anonymous

"Joe Whitley provides thorough, intelligent, and understandable advice. He has outstanding negotiation skills and proved himself trustworthy and resilient. What impressed me was how he immersed himself in the project and how quickly he gained both a macro and micro perspective. I have the utmost respect for Joe and highly recommend him."

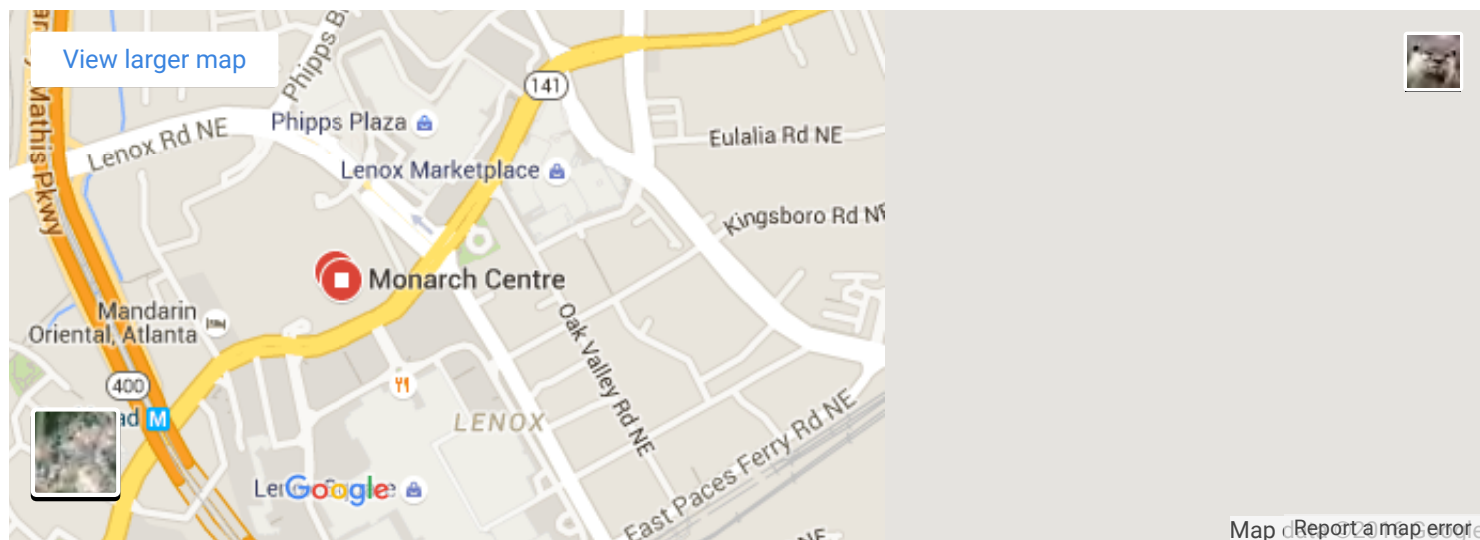
-Richard Schalter  
Self-Employed

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### Office Location

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## Practice Areas

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# JOE D WHITLEY

**Baker, Donelson, Bearman, Caldwell & Berkowitz, PC - Atlanta** (</usa/firm/156601/baker-donelson-bearman-caldwell-berkowitz-pc>)

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## Specialisation

Chair, Atlanta White Collar Practice and Shareholder/Partner, Washington DC White Collar Practice.

## Professional Memberships

Member and Former Chair, ABA Section of Administrative Law and Regulatory Practice; Member, ABA Section of Litigation; Member, ABA Criminal Justice Section; Member, National Association of Former US Attorneys (NAFUSA).

## Career

First General Counsel at DHS; DOJ Acting Associate Attorney General, Principal Deputy Associate Attorney General, Deputy Assistant Attorney General Criminal Division, US Attorney for the Northern and Middle Districts of Georgia, Assistant District Attorney for State of Georgia.

## Personal

JD, University of Georgia School of Law; BA, University of Georgia.

## Chambers Commentary (USA)

Georgia, Litigation: White-Collar Crime & Government Investigations ([/12350/395/editorial/5/1#65807\\_editorial](/12350/395/editorial/5/1#65807_editorial))  
Band 3

Joe Whitley of Baker, Donelson, Bearman, & Berkowitz, PC has expertise on internal investigations and the full range of white-collar criminal issues. He has notable experience on FCPA cases.

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RANKING THE BEST SINCE 1990



# Joe D. Whitley

From Wikipedia, the free encyclopedia

Joe D. Whitley, currently in private practice at Baker Donelson, was the first General Counsel for the United States Department of Homeland Security.

During the George H.W. Bush administration, Joe served as the Acting United States Associate Attorney General, the third-ranking position in the Department of Justice. Under President Ronald Reagan, he was the U.S. Attorney in the Middle District of Georgia in Macon, and under President George H.W. Bush, Whitley served as the U.S. Attorney in the Northern and Middle Districts of Georgia in Atlanta.

Prior to joining the Department of Homeland Security, and immediately following his service at DHS, Whitley was a partner at Alston & Bird, where he served as head of the firm's White Collar Government Enforcement & Investigations Group, his practice concentrating on government investigations, environmental and health care fraud and complex civil litigation.

Whitley is the former Chair of the Section of Administrative Law & Regulatory Practice of the American Bar Association. He is a former council member of the Criminal Justice Section of the American Bar Association. He served as Vice Chair for Governmental Affairs of the 2002–03 ABA Criminal Justice Section. He also chairs annual seminars and institutes for Georgia ICLE on White Collar Crime, Health Care Fraud, FCPA, Internal Investigations and Cybercrime. Whitley chairs the ABA's Annual National Homeland Security Law Institute in Washington, DC.

<b>Joe D. Whitley</b>	
General Counsel Department of Homeland Security	
In office 2003–2005	
Succeeded by Philip Perry	
Personal details	
Born	November 12, 1950 Atlanta, Georgia
Nationality	U.S.
Political party	Republican
Children	Two
Residence	Atlanta, Georgia
Alma mater	University of Georgia University of Georgia Law School
Profession	Attorney
Website	<a href="http://www.bakerdonelson.com/joe-d-whitley/">http://www.bakerdonelson.com/joe-d-whitley/</a>

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## Education

Whitley received his bachelor's degree, cum laude, from the University of Georgia in 1972, and a J.D., cum laude, in 1975 from the University of Georgia Law School. He currently serves on the Board of Visitors for the School of Public and International Affairs (SPIA) at the University of Georgia.

## Bar Admissions

Whitley is licensed to practice law in Georgia and the District of Columbia.

## Presentations

Whitley is a frequent speaker and lecture at institutions, events and seminars

## References

- Lawyers.com entry on Joe D. Whitley (<http://www.lawyers.com/District-of-Columbia/Washington/Joe-D.-Whitley-857828-a.html>)
- Department of Homeland Security press release on nomination of Joe D. Whitley to serve as first General Counsel ([http://www.dhs.gov/xnews/releases/press\\_release\\_0113.shtm](http://www.dhs.gov/xnews/releases/press_release_0113.shtm))

## External links

- Appearances (<http://www.c-span.org/person/?joewhitley>) on C-SPAN

Retrieved from "[https://en.wikipedia.org/w/index.php?title=Joe\\_D.\\_Whitley&oldid=682050332](https://en.wikipedia.org/w/index.php?title=Joe_D._Whitley&oldid=682050332)"

Categories: Living people | American lawyers | United States Department of Homeland Security officials | 1950 births

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## **Greenberg Traurig Shareholder Joe D. Whitley to Chair 8th Annual Homeland Security Law Institute in Washington, D.C.**

*Nationally Recognized White Collar Criminal Defense Attorney Leads the American Bar Association Homeland Security Signature Conference on June 20-21 and Pre-Conference Workshops on June 19*

ATLANTA & WASHINGTON, D.C. ([PRWEB](#)) June 05, 2013 -- Joe D. Whitley, shareholder and chair of the Atlanta White Collar Criminal Defense Practice Group of international law firm Greenberg Traurig, will serve as chair of the American Bar Association's (ABA) eighth-annual Homeland Security Law Institute. The conference, which takes place Thursday, June 20, and Friday, June 21, at the Capital Hilton at 1001 16th Street NW, Washington, DC, is designed for attorneys practicing homeland security law. Attendees may receive 13 continuing legal education (CLE) credits and participate in workshops on a variety of hot topics including homeland security and policy issues, regulatory and legislative developments in homeland security, transportation and supply chain security, immigration policy, cybercrime, issues with the Foreign Corrupt Practices Act (FCPA) and the Office of Foreign Assets Control (OFAC), the law enforcement agenda, and the security of current cyber and power infrastructure. Greenberg Traurig, a main sponsor of the institute, will provide two pre-program workshops on Wednesday, June 19, at its offices located at 2101 L Street NW, Suite 1000, Washington, DC, 20037.

Whitley, who has had a long and wide-ranging career in the Department of Justice, is a nationally known attorney who focuses his high-profile law practice on white collar criminal matters and regulatory enforcement, international antitrust, U.S. export controls and FCPA compliance. In addition to chairing the conference, he will serve as a panelist on the "Trends in Foreign Corrupt Practices Act (FCPA) and Anti-Bribery Enforcement" panel, as well as "The Office of DHS General Counsel (2003-2013)" panel. He also will lead spearhead the two pre-program workshops at Greenberg Traurig: "Careers in Homeland Security" and "Homeland Security Law & Policy 101." More information about the Homeland Security Law Institute and online registration are available at: [http://www.americanbar.org/calendar/2013/06/8th\\_annual\\_homelandsecuritylawinstitute.html](http://www.americanbar.org/calendar/2013/06/8th_annual_homelandsecuritylawinstitute.html).

"The Homeland Security Law Institute is designed to help attorneys keep pace with and be prepared to address the ever-changing Homeland Security challenges and issues facing our nation," said Whitley, the former and first General Counsel at the U.S. Department of Homeland Security. "With 2013 marking the tenth anniversary of the formation of the Department of Homeland Security, this year's program also will serve to pay tribute to all the men and women at DHS who daily protect and defend our nation."

In 2005, after Whitley's tenure at the Department of Homeland Security, he conceptualized the ABA's Homeland Security Law Institute. In 2006, he served as chair of the first-annual event, which is currently in its eighth year. Other career milestones include Whitley being appointed three times as a United States Attorney for the Northern and Middle Districts of Georgia and serving as Program Chair and Chair-Elect of the American Bar Association's Administrative Law and Regulatory Practice Section.

The attorneys with the Greenberg Traurig White Collar Criminal Defense Practice Group recognize that government has taken an increasingly aggressive investigative posture toward businesses, especially those subject to government regulations. While other law firms are merely beginning to define this issue in efforts to address the complexity of business crimes today, Greenberg Traurig has extensive experience protecting companies in federal and state criminal investigations, government audits, regulatory investigations, and civil



and contract fraud cases. Its team is comprised of former prosecutors who served at the highest levels of federal and state government and have tried hundreds of federal criminal and civil cases.

#### About Greenberg Traurig, LLP

Greenberg Traurig, LLP is an international, full-service law firm with approximately 1750 attorneys serving clients from 36 offices in the United States, Latin America, Europe, the Middle East and Asia. In the U.S., the firm has more offices than any other among the Top 10 on The National Law Journal's 2012 NLJ 250. For additional information, please visit [www.gtlaw.com](http://www.gtlaw.com)



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**Online Web 2.0 Version**

You can read the online version of this press release [here](#).



**Joe D. Whitley**

Shareholder

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Joe Whitley had a wide-ranging career in the Department of Justice. In the George H.W. Bush administration, Joe served as the Acting Associate Attorney General, the third-ranking position in the Department of Justice. He was appointed by Presidents Reagan and Bush, respectively, to serve as U.S. Attorney in the Middle and Northern Federal Districts of Georgia. Throughout his career, Joe served under five United States Attorneys General in a number of key operational and policy positions.

In 2003, Joe was appointed by the President as the first General Counsel of the United States Department of Homeland Security (DHS), the highest ranking legal official in DHS. He held that position for two years before his departure and return to private practice. Joe has represented numerous individuals and corporations in major government investigations throughout the United States and internationally. He is a frequent speaker and lecturer on white-collar, compliance, and corporate government issues.

**Areas of Concentration**

- White collar criminal defense
- Investigations - government & special
- Defense & homeland security
- Legislative & public policy

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**Significant Representations**

- Provided counsel to major corporations on public policy and legislative issues, such as: disaster recovery and forward-looking mitigation strategies; cyber-security and critical infrastructure protection; immigration; customs and trade compliance; issues related to the USA Patriot Act as they affect banking and financial services firms, together with the insurance industry; the myriad of laws and regulations affecting all segments of the transportation industry; vulnerability assessments for members of the energy sector to include the broad spectrum of environmental regulations; and enforcement actions and criminal prosecutions, as well as civil litigation.
- \* *Certain of the representations listed above were handled by Mr. Whitley prior to his joining Greenberg Traurig, LLP.*

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**Professional & Community Involvement**

- Member, District of Columbia Bar Association
- Member, Georgia State Bar Association
- Member, American Bar Association
  - Co-Chair, Annual Homeland Security Institute
- Member, Federalist Society

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**Awards & Recognition**

- Listed, "Georgia's Legal Elite," *Georgia Trend*, 2008
- Listed, *Best Lawyers in America*, 2009

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#### **Noteworthy Experience**

- General Counsel, Department of Homeland Security
    - Advised Secretary Tom Ridge and Secretary Michael Chertoff on key legal issues, including: immigration, customs enforcement, environmental compliance, internal agreements, Committee on Foreign Investment in the United States (CFIUS), complex civil litigation, the Support Anti-terrorism by Fostering Effective Technologies (SAFETY) Act, transportation security, labor and employment, government contracts, incident management, public health, infrastructure protection and intelligence sharing. He worked closely with his General Counsel counterparts at the White House, Departments of Justice, State, Treasury, Defense and other agencies to coordinate counterterrorism and federal law enforcement initiatives.
    - Oversaw approximately 1,500 lawyers and 400 support staff from numerous agencies, directorates and offices, including: the U.S. Secret Service, U.S. Coast Guard, the Transportation Security Administration, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, Federal Emergency Management Agency (FEMA), Federal Law Enforcement Training Center, U.S. Immigration and Customs Enforcement; the Directorates for Border and Transportation Security, Information Analysis and Infrastructure Protection, Emergency Preparedness and Response (including FEMA) and Science and Technology; and the Offices for Privacy, Civil Rights and Civil Liberties and Security.
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#### **Other Experience**

- Served as an Adjunct Professor at the University of Georgia Law School teaching a course in White Collar Crime, 1994
  - Served as an Adjunct Professor at American University, Washington College of Law. Developed and taught, for the first time at AU, a course in Homeland Security Law, 2005
  - Served as an Adjunct Professor at George Washington Law School, teaching Homeland Security Law, 2006
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#### **Articles, Publications & Lectures**

- Co-Author, "The Case for Reevaluating DOJ Policies on Prosecuting White Collar Crime," *Washington Legal Foundation, Critical Legal Issues, Working Paper Services No. 108*, May 2002
  - Author, "Business Continuity," *Directors & Boards*, February 2006
  - Author, "Homeland Security: Preparing for Legal and Policy Changes," *Bloomberg Corporate Law Journal*, Winter 2006
  - Author, "Homeland Security After Hurricane Katrina: Where Do We Go From Here," *Natural Resources & Environment*, June 6, 2006
  - Author, "The SAFETY Act: A Vital Tool In The Fight Against Terrorism," *Contemporary Legal Notes*, November 2006
  - Author, "New Federal Rule Dictating Anti-Terrorism Standards for Chemical Facilities," *Washington Legal Foundation Contemporary Legal Notes Series*, June 2007
  - Author, "Critical Infrastructure," *American Bar Association Homeland Security and National Defense Newsletter*, Fall 2007
  - Author, "The ICE-Man Cometh: Crackdown of Immigration in the Meat Processing Industry," *American Bar Association Homeland Security and National Defense Newsletter*, Fall 2007
  - Author, "Chemical Security: Recent Regulation and the Impact on the Private Sector," *New Jersey Law Journal*, Fall 2007
  - Author, "Recent Developments in Critical Infrastructure Protection," *The Real Estate Finance Journal*, Fall 2007
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#### **Education**

J.D., University of Georgia School of Law

B.A., University of Georgia

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**Admitted to Practice**

- District of Columbia
  - Georgia
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